IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3461 OF 2004

Kishanchand Chanchaldas Lund ... Applicant

versus

State of Maharashtra & anr. ... Respondents

...

Mr. J.S. Chandnani, for the Applicant.

Mr. V.B. Konde Deshmukh, A.P.P., for Respondent No. 1.

Mr. Rajesh Datar, for Respondent No. 2.

...

CORAM : A.M.KHANWILKAR,J.

1st November 2004

P.C.:

. Heard Counsel for the parties. I see no reason to accede to the prayer for transfer of the case to the Court in Ulhasnagar, merely because two witnesses are from Ulhasnagar or that one of the Petitioner is of advanced age. Insofar as the petitioners who are not in a position to appear before the trial Court is concerned, there is sufficient remedy available

to such persons to seek dispensation of their personal presence at their risk. If it is so, that cannot be a ground for transfer of the proceedings. On the other hand, to my mind, the appropriate course is to direct the trial Court to expeditiously dispose of the pending criminal case, which pertains to year 1998. The case be finally disposed of within six months from the date of receipt of writ of this Court. Petition disposed of on the above terms.

(A.M.KHANWILKAR,J.)